

REMARKS

Applicants acknowledge that claims 21 and 22 are allowed and that claims 6, 14-15, and 19 were indicated to be allowable by the Examiner if rewritten to overcome the rejections under 35 U.S.C. § 112. Claims 5 and 10 were objected to as being duplicate of claims 21 and 22.

Claims 1-4, 7-9, 11-13, 16-18, and 20 were rejected as being anticipated by Soumiya et al. Applicants respectfully traverse. Soumiya does not teach or suggest each and every feature required by the claims. For example, Soumiya does not teach or suggest hydrolyzing the solution to form an intermediate. Instead, Soumiya teaches preparing a solution and then hydrothermally treating the solution in a high-temperature high-pressure autoclave (col. 2, lines 22-26). The result of the hydrothermal treatment is a slurry which contains anions, water and insoluble impurities (col. 2, lines 50-54). Only after the anions, water, and insoluble impurities are removed is the slurry dried (see col. 2, lines 55-57).

Nowhere does Soumiya teach or suggest that it is the solution itself that is hydrolyzed, i.e., by substantially total evaporation in, for example, a spray dryer. (Applicants strenuously disagree with the Examiner's statement that "Applicant appears to admit that 'adding ... by hydrolysis'"). In other words, the process of the present invention removes the water from the aqueous solution in the hydrolyzing step to form the intermediate. On the other hand, the solution of Soumiya is simply heated at increased temperature and pressure where no water is removed to produce a slurry,

which is not the claimed solution (because it contains insoluble impurities, among other things).

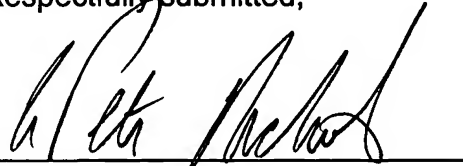
Moreover, contrary to the Examiner's assertion, Soumiya does not teach that the intermediate comprises a thin film of amorphous zirconia. Instead, the Examiner states that Soumiya may produce agglomerates, which Soumiya does not further describe. Without any teaching of the physical structure of the agglomerates, the Examiner must simply rely on conjecture to conclude that Soumiya teaches a thin film of amorphous zirconia. Conjecture is not a sufficient basis for rejecting the claims. Withdrawal of the rejection is warranted and Applicants request the same.

Claims 1-4, 7-9, 11-13, 16-18, and 20 were also rejected as being anticipated by Hamling. Each of the independent claims requires a solution that includes a zirconium salt, a stabilizing agent, and an acid. This feature was present in dependent claims 23 and 24. Therefore, a new search is not required. The Examiner, however, rejected these claims stating that Hamling discloses stearic acid. While it is true that Hamling discloses stearic acid, it is only in the context of a "solution of stearic acid in acetone was used as a die lubricant" for a steel die used to press a powder. This disclosure certainly does not teach or suggest a solution containing an acid, among other things. Moreover, Hamling does not teach or suggest that the stearic acid be added to the solution. Therefore, Hamling does not and cannot anticipate or render obvious the present claims. Withdrawal of the rejection is respectfully requested.

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If, for any reason, the Examiner feels that the above amendments and remarks do not put the claims in condition for allowance, the undersigned attorney can be reached at (312) 321-4276 to resolve any remaining issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Peter Nichols', written over a horizontal line.

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